

Introduced by Senator Chesbro

February 18, 2003

An act to amend Section 68120 of the Education Code, relating to public postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

SB 279, as introduced, Chesbro. Public postsecondary education: excuse of tuition fees.

Existing law requires the Regents of the University of California, the Board of Directors of the Hastings College of the Law, and the Trustees of the California State University to excuse the mandatory systemwide tuition and fees of any surviving spouse or surviving child, natural or adopted, of a deceased person who was a resident of the state, who was employed by a public agency, as defined, whose principal duties consisted of active law enforcement service or active fire suppression and prevention, and who was killed in the performance of active law enforcement or active fire suppression and prevention duties. Until January 1, 2004, this provision also applies to the surviving spouse or surviving child of a person who died while performing these duties, and who was employed as a contractor, or as an employee of a contractor, performing services for a public agency, as defined. This provision is applicable to the Regents of the University of California only if the regents, by resolution, make it applicable.

This bill would extend indefinitely the application of this provision to the surviving spouse or surviving child of a contractor, or an employee of a contractor, performing services for a public agency.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.



The people of the State of California do enact as follows:

SECTION 1. Section 68120 of the Education Code, as amended by Section 2 of Chapter 347 of the Statutes of 2001, is amended to read:

68120. (a) Notwithstanding any other provision of law, no mandatory systemwide fees or tuition of any kind shall be required of or collected by the Regents of the University of California, the Board of Directors of the Hastings College of the Law, or the Trustees of the California State University from any surviving spouse or surviving child, natural or adopted, of a deceased person who met all of the following requirements:

(1) He or she was a resident of this state.

(2) He or she was employed by a public agency, *or was a contractor, or an employee of a contractor, performing services for a public agency.*

(3) His or her principal duties consisted of active law enforcement service or active fire suppression and prevention. This section shall not apply to a person whose principal duties were clerical, even if he or she was subject to occasional call or was occasionally called upon to perform duties within the scope of active law enforcement or active fire suppression and prevention.

(4) He or she was killed in the performance of active law enforcement or active fire suppression and prevention duties or died as a result of an accident or an injury caused by external violence or physical force, incurred in the performance of his or her active law enforcement or active fire suppression and prevention duties.

(b) As used in this section, “public agency” means the state or any city, city and county, county, district, or other local authority or public body of or within the state.

~~(c) This section shall become operative on January 1, 2004.~~